APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,011	07/23/2003	Abraham B. de Waal	NVDA/P000654	9953

26291   7590   05/02/2007
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ART UNIT	PAPER NUMBER
2179	

MAIL DATE	DELIVERY MODE
05/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/626,011	DE WAAL, ABRAHAM B.
	Examiner	Art Unit	
	TuyetLien (Lien) T. Tran	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 February 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-3,6-12,14-19 and 22-34</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-3, 6-12, 14-19, 22-34</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the following communication: Amendment filed 2/5/07. **This**

action is made final.

2.   Claims 1-3, 6-12, 14-19, 22-34 are pending in the case. Claims 10, 10, 17, 26 and 27

are independent claims. Claims 1, 6-10, 14-17, 22-27 are the amended claims. Claims 33 and

34 are new claims.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

4.   **Claims 17-19 and 22-25 are rejected under 35 U.S.C. 101 because the claimed**

invention is directed to non-statutory subject matter.

As to claim 17, the "computer-readable media" in accordance with Applicant's

specification does not limit to physical and tangible medium (e.g., such media can take many

forms, including, but not limited to…, see [0036]). In addition, the computer readable media is

recited in claim 17 as the media for storing …, this limitation can be interpreted as the media by

itself that does not include any software instructions; and therefore, the media cannot perform

the steps recited therewith.

Claims 18-19 and 22-25 fail to resolve the deficiencies of claim 17 and therefore are

rejected as incorporating the deficiencies of a claim upon which it depends

Note that amending claim 17 to recite --computer readable storage media storing--

would overcome this rejection in a manner consistent with Applicant's specification.

Applicant's amendment corrects the previous rejection to claim 26 and therefore the

previous rejection to claim 26 is dropped.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.   **Claims 1-3, 6-12, 14-19, 22-34 are rejected under 35 U.S.C. 102(b) as being**

anticipated by Butler et al. (Patent No. 6,018,340, hereinafter simply referred to as Butler).

As to claims 1,17 and 26, Butler teaches:

A method, a computer-readable media, a system comprising a processor and a storage

medium for organizing at least one window on at least one computer monitor (see Figs. 3-4 and

col. 19, lines 28-36), comprising:

creating boundaries on the at least one computer monitor (i.e., the boundaries of monitor

spaces 41 and 43 and of displayed windows A-D as shown in Fig. 4), the boundaries forming at

least one window area (i.e., monitor spaces 41 and 43 and windows A-D) therebetween;

saving the boundaries of the at least one window area (e.g., see Fig. 4 and col. 15 lines

16-22; note that in order to restore a minimized window, information on the boundaries of the

prior non-minimized state of the window is stored and used, see col. 2 lines 38-45);

associating the at least one window area with a window (i.e., windows A, B, C, D in Fig.

4);

enabling function keys or a user interface to instruct the window to be automatically

place in the at least one window area (e.g., the end-user can use ALT key and the TAB key to

switch or activate a different application, see col. 14 lines 28-43); and

enabling the function keys or the user interface to automatically size the window in the at

least one window area (e.g., note that when the end-user switch to different application, the

window of the application is displayed, col. 14 lines 28-43; further note that when the end-user

maximizes windows 90 by clicking cursor in the upper right hand corner, window 90 will

maximize to occupy monitor space 41 as shown in Fig. 11(b)).

As to claim 10, Butler teaches:

A system for organizing at least one window (see Figs. 3-4), the system comprising:

a processor (i.e., computer 300 in Fig. 3);

at least one computer monitor coupled to the processor (i.e., display monitors 330 and

332); and

a user interface coupled to the processor (i.e., graphical user interface as shown in Fig.

4), the user interface configured to receive input from a user (i.e., the user can manipulate the

objects in the interface by controlling cursor 25 in Fig. 4) and facilitate creating boundaries on

the at least one computer monitor (i.e., the boundaries of monitor spaces 41 and 43 and of

displayed windows A-D as shown in Fig. 4), the boundaries forming at least one window area

(i.e., monitor spaces 41 and 43 and windows A-D) therebetween,

the user interface further configured to facilitate associating the at least one window area

with a window (i.e., windows A, B, C, D in Fig. 4);

the user interface further configured to instruct the window to be automatically placed in

the at least one window area (e.g., the end-user can use ALT key and the TAB key to switch or

activate a different application, see col. 14 lines 28-43), and

the user interface further configured to automatically size the window in the at least one

window area (e.g., note that when the end-user switch to different application, the window of the

application is displayed, col. 14 lines 28-43; further note that when the end-user maximizes

windows 90 by clicking cursor in the upper right hand corner, window 90 will maximize to

occupy monitor space 41 as shown in Fig. 11(b)).

As to claim 27, Butler teaches:

A computer-based display system (see Fig. 4), comprising:

a user input element for enabling a user to define window areas on a display (see Fig.

7); the user input element configured to enable function keys or a user interface to instruct a

window to be automatically placed in the defined window areas on the display (e.g., the end-

user can use ALT key and the TAB key to switch or activate a different application, see col. 14

lines 28-43);

the user input element further configured to enable the function keys or the user

interface to automatically size a window in the defined window areas on the display (e.g., note

that when the end-user switch to different application, the window of the application is displayed,

col. 14 lines 28-43; further note that when the end-user maximizes windows 90 by clicking

cursor in the upper right hand corner, window 90 will maximize to occupy monitor space 41 as

shown in Fig. 11(b));

a processing element for causing at least one window to be displayed on the display

(i.e., windows A, B, C, D in Fig. 4), wherein window shape and window placement are

dependent on the user-defined window area in which the window is positioned (i.e., windows A,

B, C, D are positioned and shaped differently as shown in Fig. 4).

As to claims 2, 11, 18, and 28, Butler further teaches wherein the window comprises an application (i.e., window 80 comprises an mail application, see Fig. 12(a)).

As to claims 3, 12, 19, and 29, Butler further teaches wherein the window comprises text (i.e., text "Michigan" in window 90 as shown in Fig. 11(a)).

As to claims 6 and 22, Butler teaches further comprising moving at least one of the boundaries (i.e., the boundary of monitor space 41 is moved to the right, see Fig. 7).

As to claims 7, 14, 23, and 30, Butler teaches sizing the window in an at least one window area associated therewith (i.e., the size of monitor spaces 41 and 43 can be adjustable, see Fig. 4 and Fig. 7).

As to claims 8, 15, 24 and 31, Butler teaches further comprising adjusting a shape of a window area (i.e., the shape of monitor spaces 41 and 43 are changed as shown in Fig. 4 and Fig. 7).

As to claims 9, 16, 25 and 32, Butler further teaches at least one window area spans a plurality of monitors (i.e., window 90 spans two monitors, see Fig. 11(a)).

As to claim 33, Butler further teaches activating the function keys or the user interface to automatically place the window in the at least one window area associated (e.g., the end-user can use ALT key and the TAB key to switch or activate a different application, see col. 14 lines 28-43; further note that each window is associated with its window display area, see window A-D in Fig. 4) therewith.

As to claim 34, Butler further teaches activating the function keys or the user interface to automatically size the window in the at least one window area associated therewith (e.g., note

that when the end-user switch to different application, the window of the application is displayed,

col. 14 lines 28-43; further note that when the end-user maximizes windows 90 by clicking

cursor in the upper right hand corner, window 90 will maximize to occupy monitor space 41 as

shown in Fig. 11(b)).

Response to Arguments

7.   Applicant's arguments filed 2/5/07 have been fully considered but they are not

persuasive.

Applicant's argument that the prior art of Butler does not teach, show, or suggest

enabling function keys or a user interface to instruction the window to be automatically placed in

the window area (see Remarks page 9 lines 15-20, page 10 lines 8-14 and page 10 lines 30-31

to page 11 lines 1-2).

The Examiner respectfully disagrees:

According to the Wikipedia web definition (e.g.,

http://en.wikipedia.org/wiki/Function_key), the term "function key" is defined as a key on a

computer or terminal keyboard which can be programmed so as to cause an operating system

command interpreter or application program to perform certain actions. In addition, Butler

teaches that the end-user may alternate between applications, for example, by simultaneously

pressing the ALT key and the TAB key; this key combination brings up a "switching" window that

lets the end-user switch to (i.e., activate) a different application; when the end-user enters this

key combination while in a multiple monitor environment, USER centers the switching window in

the monitor space the owns the window of the currently active application (e.g., see col. 14 lines

28-43; note that USER is an operating subsystem as shown in Fig. 6; further note that it is well

known in the art that other mechanisms for switching the application can be used such that

using a cursor and clicking on the minimized window to activate an application associated with that window). For these reasons, the Examiner concluded that the prior art of Butler teaches the limitation of enabling function keys or a user interface to instruction the window to be automatically placed in the window area.

Applicant's argument that the prior art of Butler does not teach, show, or suggest enabling function keys or a user interface to automatically size the window in the window area (see Remarks page 9 lines 25-26, page 10 lines 14-16 and page 11 lines 2-5).

The Examiner respectfully disagrees:

As recited in the previous remark, the end-user can switch to different application using ALT key and TAB key; and when doing that the system displays a "switching" window. In addition, when the end-user maximizes windows 90 by clicking cursor in the upper right hand corner, window 90 will maximize to occupy monitor space 41 as shown in Fig. 11(b). For these reasons, the Examiner concluded that the prior art of Butler teaches the limitation of enabling the function keys or the user interface to automatically size the window in the at least one window area.

Conclusion

8.   **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00 (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T.T
4/16/2007

Lien Tran
Examiner
Art Unit 2179

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